



08-29-02

CPA/2700 \$

Attorney Docket No.: HELLO-08601



28960

PATENT TRADEMARK OFFICE

HAVERSTOCK & OWENS LLP
162 North Wolfe Road
Sunnyvale, CA 94806(408) 530-9700

In re Application of:
Serial No.:
Filed:
Entitled:

Peter O. Schmidt et al.
09/801,442

March 7, 2001

AN ELECTRONIC DEVICE UTILIZING AN EARPLUG SUPPORT ELEMENT AND METHOD FOR PROVIDING THE SAME

BOX CPA
Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

SEP 04 2002

Technology Center 2600

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

Sir:

This is a request for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) of prior application number 09/801,442 filed on March 7, 2001 entitled: **AN ELECTRONIC DEVICE UTILIZING AN EARPLUG SUPPORT ELEMENT AND METHOD FOR PROVIDING THE SAME**

CERTIFICATION UNDER 37 CFR § 1.10

I hereby certify that this New Application and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date, August 27, 2002 in an envelope bearing "Express Mail Post Office To Addressee" Mailing Label Number EV062940723US addressed to: **BOX CPA**, Assistant Commissioner for Patents, Washington, D.C. 20231.

Juan Rascon

(Name of Person Mailing Paper)

Signature

1. X Enter the unentered amendment previously filed on May 1, 2002 under 37 CFR 1.116 in the prior nonprovisional application.
2. Fee Calculation (Based on the number of claims remaining as a result of the unentered amendment previously filed on May 1, 2002)

CLAIMS AS FILED

	Number Filed	Number Extra	Rate	Basic Fee
				\$740.00
Total Claims	19 - 20 =	0	\$18.00	0.00
Independent Claims	4 - 3 =	1	\$84.00	84.00
Multiple Dependent claim(s), if any			\$280.00	0.00
			Filing Fee Calculation	824.00

3. Applicant entitled to small entity status

50% Filing Fee Reduction (if applicable)

TOTAL FEES ENCLOSED

824.00

4. Payment of Fees

X

Check in the amount of \$1,784.00 (\$824.00 for continued prosecution application filing fee plus \$960.00 for three month extension of time fee) enclosed.

5. X

Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR § 1.16 or § 1.17 to Account No. 08-1275.
An originally executed duplicate of this transmittal is enclosed for this purpose.

6. X

Address all future communications to:

HAVERSTOCK & OWENS LLP
ATTN: Thomas B. Haverstock
162 North Wolfe Road
Sunnyvale, CA 94086

7. X

Petition for extension of time. The undersigned attorney of record hereby petitions for an extension of time pursuant to 37 C.F.R. § 1.136 (a), as may be required, to file this CPA.

8. X

Return Receipt Postcard

Dated: August 27, 2002

By: Thomas B. Haverstock
Name: Thomas B. Haverstock
Registration No.: 32,571

08/30/2002 AWDNDAF1 00000085 09801442

Repln. Ref: 08/30/2002 AWDNDAF1 0019190900
DAH:081275 Name/Number:09801442
FC: 704 \$40.00 CR

01 FC:131
02 FC:102

740.00 OP
04.00 OP